

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ANTHONY VINYARDS,)	Case No.: 1:20-cv-00506-NONE-JLT
)	
Plaintiff,)	[PROPOSED] ORDER GRANTING
)	REQUEST TO SEAL DOCUMENTS
vs.)	
)	(Doc. 41)
NATURAL PLANT PROTECTION, et al.,)	
)	
Defendants.)	
)	
)	

The plaintiff seeks to seal a document upon which it relies to oppose the defense motion to exclude testimony of the plaintiff's expert. (Docs. 39, 40) The plaintiff sought the permission of the defense on the public docket by the defense refused because it reveals "confidential and/or private information of third parties; trade secrets; and other valuable research, development, commercial, financial, technical and/or proprietary information." (Doc. 41 at 2)

The request to seal documents is controlled by Federal Rule of Civil Procedure 26(c). The Rule permits the Court to issue orders to "protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense, including . . . requiring that a trade secret or other confidential research, development, or commercial information not be revealed or be revealed only in a specified way." Only if good cause exists may the Court seal the information from public view after balancing "the needs for discovery against the need for confidentiality." Pintos v. Pac.

1 Creditors Ass'n, 605 F.3d 665, 678 (9th Cir. Cal. 2010) (quoting Phillips ex rel. Estates of Byrd v.
2 Gen. Motors Corp., 307 F.3d 1206, 1213 (9th Cir. 2002)).

3 Generally, documents filed in civil cases are to be available to the public. EEOC v. Erection
4 Co., 900 F.2d 168, 170 (9th Cir. 1990); see also Kamakana v. City and County of Honolulu, 447 F.3d
5 1172, 1178 (9th Cir.2006); Foltz v. State Farm Mut. Auto Ins. Co., 331 F.3d 1122, 1134 (9th
6 Cir.2003). The Court may seal documents only when the compelling reasons for doing so outweigh
7 the public's right of access. EEOC at 170. In evaluating the request, the Court considers the "public
8 interest in understanding the judicial process and whether disclosure of the material could result in
9 improper use of the material for scandalous or libelous purposes or infringement upon trade secrets."
10 Valley Broadcasting Co. v. United States District Court, 798 F.2d 1289, 1294 (9th Cir. 1986).

11 Based upon the showing that the document at issue, identified as ALNA 001860, reveals
12 confidential information that should be protected from public view, the plaintiff's request to file this
13 document under seal is **GRANTED**. **Within three court days**, the plaintiff **SHALL** submit the
14 document by email to ApprovedSealed@caed.uscourts.gov.
15

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17 IT IS SO ORDERED.

18 Dated: **November 3, 2021**

/s/ Jennifer L. Thurston
CHIEF UNITED STATES MAGISTRATE JUDGE